

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Architectural Busstrut Corporation *doing
business as* busSTRUT,

Case No. 19-cv-968 (DSD/ECW)

Plaintiff,

v.

ORDER

Target Corporation,

Defendant.

This case is before the Court on the Stipulation to Amend the April 16, 2020 Order (Dkt. 46). Having considered the Stipulation and for good cause shown,¹ **IT IS**

ORDERED THAT:

1. The Court's Order (Dkt. 45) is **AMENDED** as follows:
 - a. The parties must commence fact discovery procedures in time to be completed on or before **December 22, 2020**.

¹ The parties seek an extension because: "[T]he parties' ability to meet the forgoing deadlines has been substantially impacted due to the travel, social distancing, and various other implementations enacted throughout the country as a result of the COVID-19 pandemic. The discovery that remains to be completed entails substantial travel. The lawyers handling this case and pertinent witnesses who need to be deposed are located in Texas, Ohio, and Minnesota." (Dkt. 46 at 2.) The Court has already extended the schedule once due to the pandemic. (*See* Dkts. 43, 45.) While the Court grants this extension and understands the difficulties the pandemic may pose, counsel are advised to plan their discovery to take into account the travel restrictions and other measures that may be necessary due to the pandemic, whether by taking remote depositions or other means. The Court will not extend the schedule indefinitely due to the pandemic.

- b. Disclosure of the identities of expert witnesses under Rule 26(a)(2)(A) and the full disclosures required by Rule 26(a)(2)(B) (accompanied by the written report prepared and signed by the expert witness) and the full disclosures required by Rule 26(a)(2)(C), shall be made as follows:
 - i. Identities by the party with the burden of proof on or before **December 22, 2020**.
 - ii. Disclosures by the party with the burden of proof on or before **January 6, 2021**.
 - iii. Rebuttal identities and disclosures on or before **February 5, 2021**.
- c. Expert discovery, including depositions, shall be completed by **February 24, 2021**.
- d. All non-dispositive motions and supporting documents that relate to fact discovery shall be filed and served on or before **January 8, 2021**.
- e. All non-dispositive motions and supporting documents that relate to expert discovery, shall be filed and served on or before **March 10, 2021**.
- f. All dispositive motions shall be served and filed on or before **April 23, 2021**.
- g. This case will be ready for a jury trial on or about **August 23, 2021**.

All other provisions set forth in the July 25, 2019 Scheduling Order and April 16, 2020 Amended Pretrial Scheduling Order shall remain the same.

Date: July 28, 2020

s/Elizabeth Cowan Wright
ELIZABETH COWAN WRIGHT
United States Magistrate Judge